

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.BALAKRISHNAN NAIR

TUESDAY, THE 27TH MARCH 2007 / 6TH CHAITHRA 1929

WP(C).No. 22849 of 2006(T)

PETITIONER:

**ROSILY THARU, MANAGING PARTNER
ROSE POWER LAUNDRY, C.S. ROAD, JAGATHY,
THYCAUD P.O., THIRUVANANTHAPURAM-14.**

**BY ADV. SRI.GOPAKUMAR R.THALIYAL
SRI.N.P.PRAJEESH**

RESPONDENTS:

- 1. THE KERALA STATE ELECTRICITY BOARD,
REPRESENTED BY THE SECRETARY,
VAIDYUTHI BHAVAN, PATTOM, THIRUVANANTHAPURAM.**
- 2. THE EXECUTIVE ENGINEER,
ELECTRICAL DIVISION, KERALA STATE
ELECTRICITY BOARD, THIRUMALA,
THIRUVANANTHAPURAM.**
- 3. THE ASSISSTANT ENGINEER,
ELECTRICAL SECTION, KERALA STATE ELECTRICITY
BOARD, POOJAPURA, THIRUVANANTHAPURAM.**

BY ADV. SRI.JOSE J.MATHEIKEL, SC, KSEB

**THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD
ON 27/03/2007, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

W.P.(C) NO.22849/2006

APPENDIX

PETITIONER'S EXHIBITS

EXT.P1:- COPY OF THE SSI REGISTRATION CERTIFICATE OF THE PETITIONER.

EXT.P2:- COPY OF THE BILL ISSUED TO THE PETITIONER DT.7.4.06.

EXT.P3:- COPY OF THE BILL ISSUED TO THE PETITIONER DT.9.5.06.

EXT.P4:- COPY OF THE BILL ISSUED TO THE PETITIONER DT.29.6.06.

EXT.P5:- COPY OF THE BILL ISSUED TO THE PETITIONER DT.9.8.06.

**EXT.P6:- COPY OF THE JUDGMENT PASSED BY THIS HONOURABLE COURT IN WA.
NO.2076/04 DT.9.9.05.**

/TRUE COPY/

tss

K.BALAKRISHNAN NAIR, J.

W.P.(C).No.22849 of 2006-T

Dated this the 27th day of March, 2007

JUDGMENT

The petitioner challenges Ext.P4. She submits, she has been regularly paying the bill amounts and therefore there is no reason to issue Ext.P4, under which the fabulous sum is demanded from her.

2. The learned Standing Counsel for the K.S.E.B filed a statement. The multiplication factor of the meter was wrongly applied by the meter readers. Instead of the multiplication factor 40, what was applied was 20. Therefore, only one-half of the energy charges were being recovered from the petitioner. When this mistake was noticed, Ext.P4 additional bill was issued. The petitioner has filed a reply affidavit contesting the claim of the respondents.

3. Heard. The petitioner may file her objection to Ext.P4 before the third respondent. In that event, the third respondent shall take a decision thereon, in accordance with law, after affording an opportunity of being heard to the petitioner, within one month from today. If the petitioner is aggrieved by the said decision, she may move the Consumer Disputes Redressal Forum under the K.S.E.B, within two weeks from the receipt of that order. Since the petitioner has already paid Rs.81,000/- further recovery will be kept in abeyance, for two months from today or till the third respondent takes a decision on the claim of the petitioner. If so advised, the

petitioner may pay the amount demanded under protest, so as to avoid further accumulation of interest.

The Writ Petition is disposed of as above.

K.BALAKRISHNAN NAIR, JUDGE.

MS